

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

VICTOR SOSA-ORTEGA,)	
)	
Plaintiff,)	
v.)	
)	
SAMUEL CORKINS, Officer of Metropolitan)	
Nashville Police Department, in his official)	
and individual capacities, MNPD OFFICER)	Case No. 3:10-1162
JOHN DOE 1, Officer of Metropolitan Nashville)	
Police Department, in his official and individual)	Judge Campbell
capacities, MNPD OFFICER JOHN DOE 2,)	
Officer of Metropolitan Nashville Police)	
Department, in his official and individual)	
capacities, STEVE ANDERSON, Chief of)	
Metropolitan Nashville Police Department, in his)	
official capacity only, DCSO OFFICE JANEDOE,)	
in her individual and official capacities as a Deputy)	
with the Davidson County Sheriff Office, and)	
DARON HALL, in his official capacity only as the)	
Sheriff with Davidson County Sheriff Office,)	
)	
Defendants.)	

MOTION FOR LEAVE TO MANUALLY FILE AUDIO CD

Defendant Samuel Corkins respectfully moves this Court for leave to manually file an audio CD containing telephone and radio transmissions from the incident that is the subject of this lawsuit. Defendant Corkins seeks to file this CD as Exhibit B to his Motion to Dismiss. Upon entry of an order permitting the manual filing of this CD, Defendant Corkins will immediately file the CD and ask that it be considered as part of the record before the Court for purposes of ruling on Defendant Corkins' Motion to Dismiss.¹

¹ Defendant Corkins' reliance on the audio CD as an exhibit does not convert this motion to dismiss under Fed. R. Civ. P. 12(b)(6) into one for summary judgment. The attached audio CD is a public record which a

Respectfully submitted,

THE DEPARTMENT OF LAW OF THE
METROPOLITAN GOVERNMENT OF
NASHVILLE AND DAVIDSON COUNTY
SUE B.CAIN (#9380) DIRECTOR OF LAW

s/Elizabeth Sanders Burke
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Elizabeth Sanders Burke (#23873)
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Certificate of Service

This is to certify that a copy of the foregoing has been forwarded electronically to Elliot Ozment, 1214 Murfreesboro Pike, Nashville, Tennessee 37217, via the CM/ECF electronic filing system, on this the 15th day of February, 2011.

s/Elizabeth Sanders Burke
Elizabeth Sanders Burke

court may consider without converting a motion to dismiss to one for summary judgment. Jackson v. City of Columbus, 194 F.3d 737, 745 (6th Cir. 1999) (citations omitted); overruled on other grounds, Swierkiewicz v. Sorema, N.A., 534 U.S. 506 (2002); Nieman v. NLO, Inc., 108 F.3d 1546, 1554 (6th Cir. 1997).